



Attorney Docket No. 5218-108

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: William E. Allen

Application No.: 10/612,447

Filed: July 2, 2003

For: Biimidazole Diamide Anion Binding Agents

Group Art Unit: 1626

Confirmation No: 5432

Date: February 21, 2006

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST TO CORRECT INVENTORSHIP  
UNDER 37 C.F.R. § 1.48 AND 35 U.S.C. § 116**

Sir:

Pursuant to 37 C.F.R. 1.48(a), it is requested that **Corey P. Causey**, 3153 Adell Way, Durham, North Carolina, 27703, be added as an inventor. In support of this request are included:

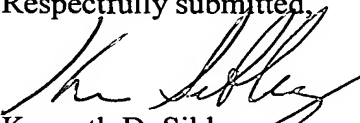
- (a) A statement by Corey P. Causey, the inventor to be added, stating that the error in inventorship occurred without deceptive intention on his part;
- (b) A Power of Attorney and a Declaration pursuant to 37 C.F.R. §1.48(a)(3), which is executed by all of the inventors in compliance with 37 C.F.R. §1.63;
- (c) A Consent of Assignee duly executed by a representative of Eastern Carolina University, the assignee of the above-identified application, agreeing to the change of inventorship; and
- (d) The Commissioner is hereby authorized to charge the processing fee in the amount of \$130.00 as set forth in 37 C.F.R. 1.17(i).

The original errors in designating the inventorship of the above-identified application were a result of inadvertent error and made without deceptive intent. Therefore, it is respectfully requested that the omitted inventors listed above be added to this application.

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The calculated fee of \$130.00 is believed to be correct. However, the Commissioner is authorized to charge any additional fees due in connection with this paper or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,



Kenneth D. Sibley  
Registration No. 31,665

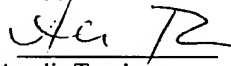
**USPTO Customer No. 20792**  
Myers Bigel Sibley & Sajovec, P.A.  
Post Office Box 37428  
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Telephone: (919) 854-1400  
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**CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10**

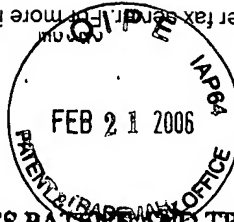
Express Mail Label No.: EV 769237915 US

Date of Deposit: February 21, 2006

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to: **Mail Stop Amendment**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Amelia Tauchen



Attorney Docket No. 5218-108

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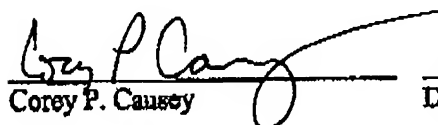
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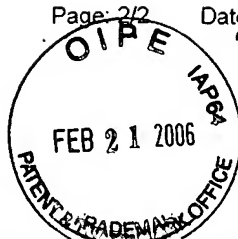
**STATEMENT IN SUPPORT OF REQUEST FOR CORRECTION  
OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)(2)**

I, **Corey P. Causey**, do hereby declare and state as follows:

1. I was not originally named as an inventor on the above-identified patent application, but I should have been. This omission was inadvertent and occurred without any deceptive intent on my part.
2. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Corey P. Causey

2-21-06  
Date



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**CONSENT OF ASSIGNEE FOR CORRECTION OF  
INVENTORSHIP PURSUANT TO 37 C.F.R. §1.48(a)**

Sir:

The educational institution of East Carolina University, the assignee of the above-identified application, hereby consent to the amendment of the application under 37 C.F.R. § 1.48(a) to add Corey P. Causey to the above-referenced patent application. Accordingly, the correct inventors on the above-mentioned application are William E. Allen and Corey P. Causey.

Respectfully submitted on behalf of  
East Carolina University,

Signature: Steve Ballard

Name: Steve Ballard

Title: Chancellor

Date: 2/21/06



ATTORNEY DOCKET NO. 5218-108

## DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "**Biimidazole Diamide Anion Binding Agents**," the specification of which

☐ is attached hereto

OR

☒ was filed on July 2, 2003 as United States Application No. 10/612,447 or PCT International Application Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information that became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

|        |         |                  |  |
|--------|---------|------------------|--|
| None   |         |                  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Number | Country | MM/DD/YYYY Filed | Priority Claimed   |
|        |         |                  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Number | Country | MM/DD/YYYY Filed | Priority Claimed   |
|        |         |                  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| Number | Country | MM/DD/YYYY Filed | Priority Claimed   |

## ATTORNEY DOCKET NO. 5218-108

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following registered attorney(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. I also appoint the following registered attorney(s) to represent me before all competent International Authorities in connection with any and all international applications filed by me with an appropriate receiving office claiming priority to the U.S. application. I also appoint the following registered attorney(s) to make or receive payment on my behalf in connection with the filing of such international applications.

**Customer No. 20792**

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
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Send correspondence to:

**Kenneth D. Sibley**  
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Telephone: (919) 854-1400  
Facsimile: (919) 854-1401

Direct telephone calls to:

Kenneth D. Sibley  
(919) 854-1400

Facsimile:

(919) 854-1401

Full name of first inventor: **William E. Allen**

Inventor's  
Signature: W. E. Allen Date: 2/21/06

Residence: Greenville, NC, USA

Citizenship: United States of America

Mailing Address: 213 Longmeadow Road  
Greenville, NC 27858

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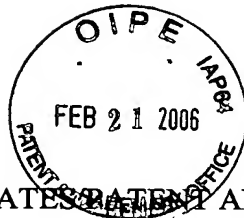
Full name of second inventor: **Corey P. Causey**

Inventor's  
Signature: Corey P. Causey Date: 2-21-06

Residence: **Durham, NC, USA**

Citizenship: **United States of America**

Mailing Address: **3153 Adell Way  
Durham, NC 27703**



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**Declaration of William E. Allen  
Under 37 C.F.R. § 1.132**

Sir:

I, William E. Allen, hereby declare as follows:

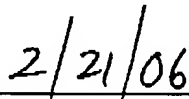
1. I am a named co-inventor on U.S. Patent Application Serial No. 10/612,447, entitled "Biimidazole Diamide Anion Binding Agents" ("the '447 application"), filed July 2, 2003.
2. The subject matter of the '447 application was invented by myself and Corey P. Causey. Corey P. Causey has been added as an inventor as set forth in a Request to Correct Inventorship Under 37 C.F.R. § 1.48(c), a copy of which is attached hereto.
2. The publication entitled "Anion Binding by Fluorescent Biimidazole Diamides" (J. Org. Chem, 67: 5963-5968(2002)) by Causey et al. describes the work of myself and Corey P. Causey.
3. The Causey et al. publication is the basis for a rejection under 35 U.S.C. § 102(a) of pending claims 2-4, and 7 because the publication allegedly discloses a process of contacting a biimidazole with an anion.
4. Thus, the inventors of the subject matter of the Causey et al. publication upon which the Examiner is relying and the inventors of the subject matter of the claims rejected under 35 U.S.C. § 102(a) in the '447 application are the same.
5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and



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Application Serial No.: 10/612,447  
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willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
\_\_\_\_\_  
William E. Allen

  
\_\_\_\_\_  
Date